IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.31 of 2008
BAIJ NATH PAL
Versus
STATE OF BIHAR & ORS
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3 03.12.2008. Heard learned counsel for the parties.

The petitioner who happens to be the brother of the victim/deceased is informant of Khagaul Police Station case no. 11 of 2003 dated 23.2.2003 lodged for offences under sections 363,498A, 323,304B, 120B and 406 I.P.C. It is stated by him that his sister was married to Mukesh Pal alias Guddu in Jamalpur who died in suspicious circumstances in her matrimonial house in respect of which only U.D.case No. 1 of 2003 dated 26.1.2003 was instituted by Manoj Kumar, the Officer in charge of Jamalpur Police Station in connivance with the accused persons including the Sub Inspector of Police, namely, Arbind Pal, brother in law of husband of the deceased. It is alleged that an anti mortem report was prepared by the Sub Inspector of police, namely, Jagarnath Jha in pursuance of criminal conspiracy with the doctor of the Govt. Hospital, Munger with intention to destroy the prosecution evidence. On the direction of the D.I.G., Munger Range, the UD case was supervised by the Dy.S.P.,Jamalpur and he came to the finding that the deceased was killed in the house by the accused persons and thereafter the dead body was thrown on the road in the wee hours.

Khagaul Police Station case no.11 of 2003 under sections 304B,498A,120B and 406 I.P.C. was found to be true against the accused persons in course of investigation.

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It is submitted by the learned State counsel that the UD case and the Khagaul Police Station case no. 11/2003 have been directed to be amalgamated and even this Court in its order dated 17.1.2005, passed in Cr.W.J.No. 119 of 2004 had already directed the Superintendent of Police, Munger to take administrative action against the absconding accused who evaded arrest. It also appears that the said Arbind Pal, brother in law of Mukesh Pal (husband of the deceased) has been suspended.

In view of the facts stated above, the writ petition is disposed of with observation that the petitioner may pursue his complaint against Arbind Pal before superior officials.

Shashi. **(S.P.Singh,J).**

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